

VILLAGE OF BURR RIDGE

RIGHT-OF-WAY PERMIT

A right-of-way permit is required per Chapter 12 of the Village of Burr Ridge Municipal Code

When a ROW permit *is* needed

- Water or sewer hook-up
- Any excavation in the street or parkway
- Driveway modifications w/ removal of existing curb
- Removal of any portion of existing curb
- Whenever the work requires a J.U.L.I.E. locate

When a ROW permit is *not* needed

- Sprinkler systems
- Mailbox installation
- Seal coating/improvements to driveways
- Project in conjunction with issued building or grading permit

Permit fee of 2% of the estimated cost of construction within the right-of-way with a minimum of \$70 to be paid at the time of submitting application. (Sec. 12.17 of Code)

Performance Bond: \$500.00 for work that disturbs the parkway and/or curb directly adjacent to applicant property; \$2,000.00 for all water/sewer service connections; or \$5,000.00 for extension of public utilities, or as deemed necessary by the Village Engineer. (Sec. 12.18 of Code)

Insurance – Proof of insurance in the form of a Certificate of Insurance naming the Village as additionally insured. (See Sec. 12.18 of Municipal Code for specific requirements.)

Documents to be submitted

Application for right-of-way permit
2 copies of Plat of Survey; *(for driveways: label width of the driveway at the **property line** and the distance of the driveway from the side property lines)*
Certificate of Insurance, naming the Village as additionally insured
Copy of Proposal from contractor

Refer to the attached Chapter 12, Public Ways and Property, of the Village of Burr Ridge Municipal Code.

Required Inspections

Pre-pour for driveways *(including all driveways: brick pavers, concrete & asphalt)*
Any inspections required by plan reviewer. Based on application type.
Final / Restoration Inspection for all right of way permits *(for bond release)*.

For more information or questions concerning right-of-way permits, contact the Building Department at (630) 654-8181, ext. 3.

ROW PERMIT APPENDIX

ACCESS DRIVEWAY FROM STREETS TO OFF-STREET PARKING AND LOADING SPACES

1. WIDTH AND NUMBER OF DRIVEWAYS

a. Measurement of Driveway Width

The width of all driveways shall be measured at the lot line adjoining a street.

b. Residential Uses

- (1) The width of a driveway providing access to a residential use shall not be less than 9 feet or more than 22 feet at the property line – show width of driveway at property line on Plat of Survey.
- (2) The number of driveways providing access to a residential use from a single street shall not exceed two. The number of driveways providing access to a residential use on a corner lot shall not exceed three.
- (3) The combined width of all driveways accessing a residential property shall not exceed 36 feet.
- (4) Driveways shall be a minimum of 2 feet from each side lot line – show distance from side lot line on a Plat of Survey

c. Non-Residential uses

- (1) Not less than 14 feet wide or more than 20 feet wide for a one-way driveway.
- (2) Not less than 20 feet wide or more than 35 feet wide for a two-way driveway serving two or fewer parking spaces and/or one loading space.
- (3) Not less than 24 feet wide or more than 35 feet wide for a two-story driveway serving more than 20 parking spaces and/or two or more loading spaces.

2. RADIUS CONNECTING STREET PAVEMENT EDGE AND DRIVEWAY EDGE

a. In Residence Districts

A driveway flare or radius shall be provided that does not exceed 5 feet and does not encroach beyond the side property line as extended to the street pavement.
(Amended by Ordinance A-834-5-98)

b. Business Districts

- (1) Not less than 15 feet at the intersection of a driveway and street pavement in a street having a right-of-way more than 66 feet wide.
- (2) Not less than eight feet at the intersection of a driveway and a street pavement in a street having a right-of-way of 66 feet or less in width.

3. ANGLE AT INTERSECTION OF A DRIVEWAY AND STREET

The acute angle formed at the intersection of driveway and street pavement edges shall be not less than 60 degrees.

4. SPACING BETWEEN SEPARATE DRIVEWAY ENTRANCES ON A LOT (measured at the lot line adjoining a street)

- a. Not less than 20 feet on streets having rights-of-way more than 66 feet in width.
- b. Not less than ten feet on streets having rights-of-way 66 feet or less in width.

5. ON CORNER LOTS - SPACING BETWEEN DRIVEWAY ENTRANCE AND RIGHT-OF-WAY LINE OF AN ADJACENT INTERSECTION STREET (measured from the nearest edge of the driveway pavement at its intersection with the street right-of-way line of an adjacent intersecting street)

- a. Not less than 15 feet to an adjacent intersecting street having a right-of-way more than 66 feet in width.
- b. Not less than eight feet to an adjacent intersecting street having a right-of-way 66 feet or less in width.



VILLAGE OF BURR RIDGE

ROW Permit # _____

APPLICATION FOR RIGHT-OF-WAY PERMIT

Minimum Permit Fee of \$70 due at time of application

Cash Bond \$500.00 (parkway and/or curb);
\$2,000.00 (water/sewer service) or \$5,000.00 (utility extension)

Certificate of Insurance Required

Permit Fee Received: \$ _____

Bond Received \$ _____
(for Office Use Only)

Address of Property: _____ PIN # _____

Subdivision: _____ Lot # _____

DESCRIPTION OF WORK TO BE DONE: _____

ESTIMATED TIME TO COMPLETE WORK: _____

ESTIMATED COST OF CONSTRUCTION WITHIN RIGHT-OF-WAY: _____

PERMIT APPLICANT: _____ PHONE: _____ FAX: _____

APPLICANT'S ADDRESS: _____ CITY: _____ ZIP: _____

The permit applicant may be the general contractor, property owner, or other representative of the property owner authorized to submit this application and to proceed with all work requested herein. All correspondence and inquiries from the Village of Burr Ridge during the plan review and construction process will be directed to the permit applicant only.

PROPERTY OWNER: _____ PHONE: _____ FAX: _____

OWNER'S ADDRESS: _____ CITY: _____ ZIP: _____

GENERAL CONTRACTOR: _____ PHONE: _____ FAX: _____

CONTRACTOR'S ADDRESS: _____ CITY: _____ ZIP: _____

Allow up to 10 business days for plan review. You will be contacted immediately upon completion of the plan review. If plans and related documents are not completed in full compliance with the applicable codes of the Village of Burr Ridge, resubmittal of plans and review of said plans by the Village of Burr Ridge will be required and will delay issuance of the permit.

Assumption of Liability (per Sec. 12.18.VIII of Chapter 12)

The applicant assumes liability for all injury to or death of any person or persons including employees of the applicant, any contractor or subcontractor, any supplier or any other person and assumes liability for all damage to property sustained by any person or persons occasioned by or in any way arising out of any work performed pursuant to this agreement.

The above information and the attached Plans are true and accurate to the best of my knowledge.

Signature of Applicant

Date of Submittal

CHAPTER 12
PUBLIC WAYS AND PROPERTIES

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ARTICLE I. Purpose, Scope, Definitions, and Supervision

Sec. 12.01

PURPOSE AND SCOPE

Purpose. The purpose of this Chapter is to establish policies and procedures for accessing, constructing, altering, and/or maintaining public ways and properties within the Village's jurisdiction for the purpose of improving and protecting the public health, safety, comfort, convenience and general welfare of the people.

Conflicts with Other Ordinances. This Ordinance supersedes all Ordinances or parts of Ordinances adopted prior hereto that are in conflict herewith, to the extent of such conflict.

Conflicts with State and Federal Laws. In the event that applicable federal or State laws or regulations conflict with the requirements of this Ordinance, the utility shall comply with the requirements of this Ordinance to the maximum extent possible without violating federal or State laws or regulations.

Sound Engineering Judgment. The Village shall use sound engineering judgment when administering this Ordinance and may vary the standards, conditions, and requirements expressed in this Ordinance when the Village so determines. Nothing herein shall be construed to limit the ability of the Village to regulate its public ways and properties for the protection of the public health, safety, comfort, convenience and general welfare.

Sec. 12.02

DEFINITIONS

As used in this Ordinance and unless the context clearly requires otherwise, the words and terms listed shall have the meanings ascribed to them in this Section. Any term not defined in this Section shall have the meaning ascribed to it in 92 Ill. Adm. Code § 530.30, unless the context clearly requires otherwise.

AASHTO American Association of State Highway and Transportation Officials.

ANSI American National Standards Institute.

Applicant A person applying for a permit under this Ordinance.

ASTM American Society for Testing and Materials.

Backfill The methods or materials for replacing excavated material in a trench or pit.

Bore or Boring To excavate an underground cylindrical cavity for the insertion of a pipe or electrical conductor.

Clear Zone The total roadside border area, starting at the edge of the pavement, available for safe use by errant vehicles. This area may consist of a shoulder, a recoverable slope, a non-recoverable slope, and a clear run-out area. The desired width is dependent upon the traffic volumes and speeds and on the roadside geometry. Distances are specified in the AASHTO Roadside Design Guide.

Code The Municipal Code of the Village of Burr Ridge.

Construction or Construct The installation, repair, maintenance, placement, alteration, enlargement, demolition, modification, or abandonment in place of facilities.

Disrupt the Right-of-Way For the purposes of this Ordinance, any work that obstructs the right-of-way or causes a material adverse effect on the use of the right-of-way for its intended use.

Such work may include, without limitation, the following: excavating or other cutting; placement (whether temporary or permanent) of materials, equipment, devices, or structures; damage to vegetation; and compaction or loosening of the soil, and shall not include the parking of vehicles or equipment in a manner that does not materially obstruct the flow of traffic on a highway.

Emergency Any immediate maintenance to the facility required for the safety of the public using or in the vicinity of the right-of-way or immediate maintenance required for the health and safety of the general public.

Equipment Materials, tools, implements, supplies, and/or other items used to facilitate construction of facilities.

Excavation The making of a hole or cavity by removing material, or lying bare by digging.

IDOT Illinois Department of Transportation.

Ordinance(s) The Ordinance(s) of the Village of Burr Ridge.

Parkway Any portion of the right-of-way not improved by street or sidewalk.

Pavement Cut The removal of an area of pavement for access to facility or for the construction of a facility.

Permittee That entity to which a permit has been issued pursuant to this Chapter.

Practicable That which is performable, feasible, or possible, rather than that which is simply convenient.

Public Property Any real or personal Village property including Village land, buildings, fixtures, and other structures or improvements that is not defined as right-of-way.

Restoration The repair of a right-of-way, highway, roadway, or other area disrupted by the construction of a facility.

Right-of-Way Any street, alley, other land or waterway, dedicated or commonly used for roadway or utility purposes, including utility easements in which the Village has the right and authority to authorize, regulate, or permit the location of facilities other than those of the Village. "Right-of-way" shall not include any real or personal Village property that is not specifically described above and shall not include Village buildings, fixtures, and other structures or improvements, regardless of whether they are situated in the right-of-way.

Roadway or Street That part of the highway that includes the pavement and shoulders or curbs.

Sidewalk A hard surface path designated for pedestrian use and usually located parallel and at the side of a roadway.

Shoulder A width of roadway, adjacent to the pavement, providing lateral support to the pavement edge and providing an area for vehicular stops and storage of snow removed from the pavement.

Sound Engineering Judgment A decision(s) consistent with generally accepted engineering principles, practices, and experience.

Structure Anything which is constructed or erected, the use of which requires more or less permanent location on the ground or attachment to something having a permanent location on the ground.

Village The Village of Burr Ridge.

Village Code The Code of the Village of Burr Ridge.

Village Engineer The Village Engineer of the Village of Burr Ridge.

Sec. 12.3

SUPERVISION

All public streets, alleys, sidewalks and other public ways and grounds in the Village shall be under the supervision of the Village Engineer. He or she shall have supervision over all work therein, and the cleaning thereof, and shall be charged with the enforcement of all ordinance provisions relating to such public places (except traffic ordinances) and is hereby authorized to enforce such ordinances.

Sec. 12.4

DUTY OF ENFORCEMENT

It shall be the duty of the police department and the Village Engineer to see that the requirements contained in this chapter are in all cases complied with.

Sec. 12.5

PENALTY

Penalty. Any person violating any provision of this Chapter may be fined in an amount not less than twenty-five dollars (\$25.00) and not more than seven hundred fifty dollars (\$750.00):

Interpretation. For purposes of this Chapter and in determining the appropriate amount due hereunder:

1. A separate offense shall be deemed committed on each day during or on which the violation occurs or continues.
2. All violations of any provision of this Chapter that are committed by the same person, or any firm controlled by such person, shall be counted, regardless of whether or not the violations occur at the same location.
3. Any finding or plea of guilty or no contest upon a citation shall be deemed a violation.
4. For purposes of determining the number of multiple violations, a violation of a construction regulation shall include all violations of this Chapter.

ARTICLE II Streets, Sidewalks, and Driveways

Sec. 12.6

CONSTRUCTION AND/OR ALTERATION REQUIREMENTS

No Streets, alleys, sidewalks and other public ways and grounds in the Village shall be constructed, altered, repaired, improved in whole or in part except as set forth in this chapter. In the event there are no specific provisions of this chapter regulating any particular action in this regard then no such action shall be commenced until referred to the Village Engineer for approval of such action.

Specifications. All street and sidewalk pavement shall be constructed in conformity with the specifications established by the Village Board of Trustees. All streets shall be constructed in accordance with the Village zoning ordinance and specifications in the Illinois Department of Transportation Specifications for Road and Bridge Construction, as amended from time to time.

Sidewalk Grades. All sidewalks shall incline upward from the outer edge toward the line of buildings or lots at the rate of one inch (1 ") in four feet (4'). Sidewalks shall be placed 0.4' higher than top of curb or 0.8' higher than edge of pavement if no curb is present.

Sec. 12.7

REPAIRS

Reserved.

Sec. 12.8

TRAFFIC CONTROL

Applicability. Any person laying or repairing any pavement on a street, sidewalk, or other public place or making any excavation or opening in the same shall maintain suitable traffic control measures in accordance with IDOT standards and specifications to prevent injury of any person or vehicle by reason of such work. All barricades shall be protected by suitable lights at nighttime. Any resultant defect in any pavement shall be barricaded to prevent injury. The provisions of this Section shall apply to every person who shall be engaged in building any service from any building to any public utility, and also shall apply to every person who shall do or perform any work causing an obstruction on any public or private streets.

Disturbance. It shall be unlawful to disturb or interfere with any barricade or lights lawfully placed to protect or mark any pavement defect or excavation or opening in any public street, alley, or sidewalk.

Sec. 12.9

PRIVATE OR COMMERCIAL USE

General. It shall be unlawful for any person to use any street, sidewalk, or other public place as space for the display of goods or merchandise for sale or for any private purpose, or for any person to write, place or mark any signs or advertisements on any such street, sidewalk, or public place except as regulated by Chapter 55 of the Burr Ridge Village Code titled "Signs" and Chapter 56 titled "Solicitors and Peddlers".

Street Closings For Recreational Purposes/Block Parties. The Village Administrator may authorize the barricading and closing of streets for a period not to exceed twenty-four (24) hours for recreational purposes including block parties when the following conditions have been met:

1. A petition has been filed requesting such closing executed by seventy five percent (75%) of the property owners or lessees adjacent to the streets affected or as formally requested by the effected subdivision homeowners association.
2. The Chief of Police has advised the Village Administrator that the closing will not create a traffic hazard or otherwise interfere with public safety.
3. The Chief of the appropriate Fire District has advised the Village Administrator that the closing will not create a fire hazard.
4. That the closing will not unduly inconvenience the residents of the neighborhood or subdivision involved.
5. That the recreational purpose be nonprofit.

Sec. 12.10

USE AND OBSTRUCTION RESTRICTION

General. Except as otherwise provided for herein, it shall be unlawful for any person to cause or maintain any obstruction of any street, alley, sidewalk, or other public way or property.

Encroachments. It shall be unlawful to erect or maintain any building or structure that encroaches on any public street or other public property.

Drains. It shall be unlawful to obstruct or damage any drain in any public street or other public property. It shall be unlawful to install or maintain any point discharge drains (i.e. downspouts, sump pumps, etc.) that encroaches on any public street, right of way, or other public property unless said point discharge drain is connected directly to the public storm sewer as permitted by the Village Engineer. A permit issued in advance from the Village Engineer is required to connect to the public storm sewer.

Poles And Wires. It shall be unlawful to erect or maintain any poles or wires over any public street, alley, or other public way without obtaining, in advance, approval thereof from the Village Engineer as regulated by Chapter 14 of the Burr Ridge Village Code titled "Utilities in the Right of Way".

Gas Pumps. It shall be unlawful to erect, place, or maintain any gasoline pump or tank on any public street or other public property.

Openings. It shall be unlawful to construct or maintain any opening in any public street, alley, sidewalk, or other public property without obtaining, in advance, a permit therefor from the Village Engineer.

Materials. It shall be unlawful to store, deposit or cause to be deposited, and/or process any bricks, bottles, glass, stone, lumber, leaves, grass clippings, offal, ashes, dirt, garbage, produce, paper, snow or any other matter either temporarily or permanently thereon which may cause harm to the pavement or injury to any person or animals, or otherwise create a public nuisance or obstruction on any street, sidewalk or other municipal property or cause a diminution of possible use thereof.

Street Crosswalks. All crosswalks in the Village shall be kept free from any vehicles or other obstructions, except so far as may be necessary in crossing the same.

Sprinkler Systems. Private sprinkler systems are allowed in the public parkway at the owner's risk and exempt from any permitting requirement. Repair of any damage of said private sprinkler system placed in the public parkway shall be the responsibility of the system owner. The Village reserves the right to remove sprinkler systems from the public parkway if deemed an obstruction by the Village Engineer.

Electronic Dog Fences. It shall be unlawful to install or maintain an electronic dog fence on any public parkway.

Sec. 12.11

AUTHORITY TO REMOVE OBSTRUCTIONS

The Village Engineer or his or her designee is authorized to cause any obstruction, encroachment, or other item that may be in violation of the provisions of this code to be removed and/or restore any areas disturbed after five (5) days' notice served upon the owner, agent, or person in possession of the premises where such violation occurs. In the event of an emergency, as determined by the Village Engineer or his or her designee, or in the event the owner, agent, or person in possession of said premises cannot be located, then the Village Engineer may cause such removal and/or restoration summarily and without notice. The owner, agent, or party causing such violation shall pay all expenses and costs of such removal and/or restoration in addition to any other penalty provided by this code.

Sec. 12.12

DAMAGE TO PAVEMENTS

It shall be unlawful to walk upon or drive any vehicle or animal upon, or damage any newly laid street, sidewalk or alley pavement while the same is guarded by a warning sign or barricade; or to damage any street, sidewalk or alley pavement.

Sec. 12.13

DEFECTS

Reserved.

Sec. 12.14

VEHICLES ON SIDEWALKS AND PARKWAYS

No person shall drive any vehicle upon a sidewalk or sidewalk area except upon a permanent or duly authorized temporary driveway or for routine maintenance, utility or emergency service or for special delivery or pick up involving goods or customer services. This section does not apply to any vehicle moved exclusively by human power nor to any motorized wheelchair.

Sec. 12.15

DRIVEWAYS

Driveways shall be installed as regulated by the Burr Ridge Village Building and Zoning Ordinances as modified from time to time except as regulated in the list below:

1. All driveway approaches within the Village right of way must be constructed of a permanent dust free hard surface material such as asphalt, concrete, or brick pavers.
2. No driveway approach shall be constructed or used so as to impede the flow of surface water in the street gutter or drainage.
3. No driveway approach shall be constructed or used for the sole purpose as a parking space.
4. Parked vehicles shall not protrude into the street at a driveway approach so as to impede the flow of traffic or extend over the sidewalk so as to interfere with the movement of pedestrians.
5. The parkway shall not be used as a parking area.
6. Any unusual driveway materials such as stamped or colored concrete or asphalt or specialty material pavers located within the right of way that are damaged by Village utility and street operations are to be repaired at the driveway owners expense with the understanding the Village may reimburse owner for the normal cost of asphalt or concrete as determined by the Village Engineer.
7. Any new driveway built for a new building accessing a street improved with perimeter curbs shall include cutting the existing curb or replacement of said curb with a depressed curb. This requirement shall apply to new driveways built for new residential and non-residential buildings on all streets with curbs regardless of the type of curb that exists prior to installation of the driveway.

ARTICLE III Excavations

Sec. 12.16

PERMIT REQUIRED; APPLICATION

It shall be unlawful for any person to make any excavation in any street, alley, parkway, or other public place in the Village without having first obtained a permit as herein required, and without complying with the provisions of this Chapter.

Applications for such permits shall be made to the Village Engineer and shall describe the location of the intended excavation, the size thereof, the purpose therefor, the time to complete the work, the person doing the actual excavating work, and the name of the person for whom the work is being done. The application shall also contain an agreement that the applicant will comply with all ordinances relating to the work.

If the applicant is applying for a building permit as part of the excavation then no separate excavation permit, insurance, or bond requirement will be required.

Sec. 12.17

PERMIT FEE

No permit authorizing an excavation as provided in this Chapter shall be issued until the fee therefor has been paid to the Village in the amount of two percent (2%) of the estimated cost of construction within the right of way with a minimum fee of \$70.00 unless applicant is applying for a building permit as part of the excavation then no separate fee will be required.

Sec. 12.18

INSURANCE AND BOND REQUIREMENTS

Insurance: No such permit shall be issued unless the applicant has filed with the Village Engineer an insurance certificate. This certificate shall be maintained for the duration of the project. The minimum scope and limits of insurance are set forth below.

I. Minimum Scope of Insurance

Coverage shall be at least as broad as:

- i. Insurance Services Office Commercial General Liability occurrence form CG 0001 with the Village of Burr Ridge named as additional insured; and
- ii. Owners and Contractors Protective Liability, (OCP) policy (if required) with the Village as insured; and
- iii. Insurance Service Office Business Auto Liability coverage form number CA 0001, Symbol 01 "Any Auto"; and
- iv. Workers' Compensation as required by the Labor Code of the State of Illinois and Employers' Liability insurance.

II. Minimum Limits of Insurance

Permit applicant shall maintain limits no less than:

- i. Commercial General Liability: \$1,000,000 combined single limit per occurrence for bodily injury, personal injury and property damage. The general aggregate shall be twice the required occurrence limit. Minimum General Aggregate shall be no less than \$2,000,000 or a project/contract specific aggregate of \$1,000,000.
- ii. Business Automobile Liability: \$1,000,000 combined single limit per accident for bodily injury and property damage.
- iii. Workers' Compensation and Employers' Liability: Workers' Compensation coverage with statutory limits and Employers' Liability limits of \$1,000,000 per accident.
- iv. Builder's Risk (if required): Shall insure against "All Risk" of physical damage, including water damage (flood and hydrostatic pressure not excluded), on a completed value, replacement cost basis.

III. Deductibles and Self-Insured Retentions

Any deductibles or self-insured retentions must be declared to and approved by the Village of Burr Ridge. At the option of the Village, either; the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the Village, its officials, agents, employees

and volunteers; or the permit applicant shall procure a bond guaranteeing payment or losses and related investigation, claim administration and defense expenses.

IV. Other Insurance Provisions

The policies are to contain, or be endorsed to contain, the following provisions:

i. General Liability and Automobile Liability Coverages

- The Village of Burr Ridge, its officials, agents, employees and volunteers are to be covered as insureds as respects: liability arising out of activities performed by or on behalf of the permit applicant; products and completed operations of the applicant premises owned, leased or used by the applicant; or automobiles owned, leased, hired or borrowed by the applicant. The coverage shall contain no special limitations on the scope of protection afforded to the Village, its officials, agents, employees and volunteers.
- The applicant's insurance coverage shall be primary as respects the Village of Burr Ridge, its officials, agents, employees and volunteers. Any insurance or self-insurance maintained by the Village, its officials, agents, employees and volunteers shall be excess of applicant's insurance and shall not contribute with it.
- Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the Village, its officials, agents, employees and volunteers.
- The applicant's insurance shall contain a Severability of Interests/Cross Liability clause or language stating that applicant's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

ii. Workers' Compensation and Employers' Liability Coverage

The insurer shall agree to waive all rights of subrogation against the Village, its officials, agents, employees and volunteers for losses arising from work performed by applicant for the Village.

iii. All Coverages

Each insurance policy required by this clause shall be endorsed to state that coverage shall not be suspended, voided, cancelled, non-renewed, amended, and/ or reduced in coverage or in limits except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the Village.

V. Acceptability of Insurers

Insurance is to be placed with insurers with a Best's rating of no less than A-, VII and licensed to do business in the State of Illinois.

VI. Verification of Coverage

Permit applicant shall furnish the Village with certificates of insurance naming the Village, its officials, agents, employees and volunteers as additional insureds, and with original endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. The certificates and endorsements are to be received and approved by the Village before any work commences.

VII. Contractors & Subcontractors

Permit Applicant shall include all contractors and subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each contractor. All coverages for contractors shall be subject to all of the requirements stated herein.

VIII. Assumption of Liability

The applicant assumes liability for all injury to or death of any person or persons including employees of the applicant, any contractor or subcontractor, any supplier or any other person and assumes liability for all damage to property sustained by any person or persons occasioned by or in any way arising out of any work performed pursuant to this agreement.

Performance Bond. No such permit shall be issued until the applicant therefor has deposited with the Village a cash bond as follows: \$500.00 for work that disturbs the parkway and/or curb directly adjacent to applicant property; \$2,000.00 for all water and/or sewer service connections; and \$5,000.00 for extension of public utilities or any other circumstance not otherwise indicated herein. The bond is to ensure the proper restoration of the ground and pavement. If the applicant fails to restore the excavation site promptly, the Village shall use the deposit for the restoration work. The deposit shall cover all street excavations of the applicant so long as the applicant is not in default in his obligation to restore. (Amended by Ord. A-946-01-03)

The cash deposit shall remain on deposit until the completion of any restoration work involving a street excavation. If the restoration, at that time, is satisfactory, the cash deposit shall be returned to the applicant, provided said deposit is not required as security for other pending work of said applicant. If the applicant is applying for a building permit as part of the excavation then no separate bond requirement will be required.

In the event the cash deposit is not adequate to complete the restoration work, the applicant shall be responsible for the deficiency.

Sec. 12.19

INDEMNITY

To the fullest extent permitted by law, the permit applicant hereby agrees to defend, indemnify and hold harmless the Village, its officials, agents and employees, against all injuries, deaths, loss, damages, claims, patent claims, suits, liabilities, judgements, cost and expenses, which may in anywise accrue against the Village, its officials, agents and employees, arising in whole or in part or in consequence of the performance of this work by the applicant, its employees, or subcontractors, or which may in anywise result therefore, except that arising out of the sole legal cause of the Village, its agents or employees; the applicant shall, at its own expense, appear, defend, and pay all charges of attorneys and all costs and other expenses arising therefore or incurred in connections therewith, and, if any judgement shall be rendered against the Village, its officials, agents and employees, in any such action, the applicant shall, at its own expense, satisfy and discharge the same.

Permit applicant expressly understands and agrees that any performance bond or insurance policies required, or otherwise provided by the applicant, shall in no way limit the responsibility to indemnify, keep and save harmless and defend the Village, its officials, agents and employees as herein provided.

Sec. 12.20

TRAFFIC CONTROL

Any person making or maintaining any excavation in any public area shall maintain adequate traffic control as outlined in Section 12.8.

Traffic access on the public streets shall be maintained at all times by the contractor performing the excavation, unless the Village Engineer authorizes the closing of a street. If for good and sufficient reasons the street must be closed to traffic, the contractor may request in writing to the Village Engineer permission for the street closing. If the Village Engineer determines such closing is warranted, the contractor shall provide all necessary traffic control to reroute traffic.

Sec. 12.21

MANNER OF EXCAVATION

General. It shall be unlawful to make any excavation in any way contrary to or in violation with the terms of the permit. Proper bracing shall be maintained to prevent the collapse of adjoining ground, and the excavation shall not have anywhere below the surface any portion which extends beyond the opening at the surface.

No injury shall be done to any pipes, cables, or conduits which in any way may be endangered or affected by the making of such excavation. The contractor shall be responsible for notifying all public utilities of its intent to excavate.

No unnecessary damage or injury shall be done to any trees, shrubs, or the roots thereof. Tunneling is prohibited.

Sidewalks. If any sidewalk is blocked by any such work, a temporary sidewalk shall be constructed or provided which shall be safe for travel and convenient for users.

Time Limit. Each permit for excavation shall be for a stated period not to exceed thirty (30) days after the commencement of work. If at the time of the application it is known that the restoration and excavation will exceed this period, then it must be so stated on the permit and approved by the Village Engineer.

Restoring Surface. Any person making an excavation in any public street, alley, parkway, or public place shall restore the surface. For parkways four (4") inches of top soil and sod will be the standard. In all other respects the surface shall be restored to its original condition.

Sec. 12.22

EXCAVATION RESTORATION

All holes or trenches in the street are to be saw cut and the width of the cut in the pavement must exceed the width of the excavation by at least two feet (2') on all sides. All street excavations shall be backfilled with sand, screenings or crushed stone and compacted in layers of one foot (1'), which shall be tamped and compacted before proceeding with the next layer.

When the pavement is replaced, the patch must bear on undisturbed earth a minimum of one foot (1') on all sides. If the existing pavement is concrete, the patch shall be concrete the same thickness as the original, tied to the original concrete with 18" dowel bars. If the existing pavement is bituminous asphalt, the patch shall be composed of six inches (6") of bituminous base course (MS-1700) and two inches (2") of bituminous surface which shall be placed and compacted level with the existing pavement surface.

Any openings in a paved area of a street shall be repaired and the surface relaid by the permittee in compliance with this Chapter and subject to the supervision of the Village Engineer. If such work is not done within seven (7) calendar days after restoration is possible, the Village may restore the surface and charge the cost thereof to the permittee.

Sec. 12.23

SUPERVISION AND INSPECTION

The Village Engineer, or his agent, shall inspect all excavations in the Village. The contractor shall notify the office of the Village Engineer at least twenty four (24) hours before the commencement of any excavation and shall call the office of the Village Engineer for inspection of the backfilling operation as it progresses and inspection of the patch before it is poured or placed.

Stop Work Order. In any case where work is done under a permit authorizing excavation on and street, alley, sidewalk or other Village property, which work is contrary to the approved plan, or any law or ordinance, the Village Engineer shall have power to stop such work and to order all persons engaged therein to stop and desist therefrom. Such work shall not be resumed until a \$200 inspection fee has been paid to the Village and satisfactory assurance has been given to the Village Engineer that work will be done properly and lawfully and according to the approved plan or until the Village Engineer has consented, in writing, to the changes made in such approved plan. The Village Engineer may require a new permit to be issued before work proceeds, for which permit the usual fee shall be paid by the applicant doing such work. In case any excavation work is begun without a permit authorizing the same being issued therefore, the

Village Engineer shall have power to at once stop such work and to order any and all persons engaged therein to stop and desist there from until the proper permit is issued at twice the normal fee.

Sec. 12.24

EXEMPTIONS

The provisions of this Chapter relative to securing permits shall not apply to officers, contractors, or employees of the Village engaged in doing work for the Village; nor to persons or corporations which are operating under a franchise or grant from the Village if such franchise provides for the making of excavations without securing a permit therefor; nor to utilities regulated by Chapter 14 of the Burr Ridge Village Code titled "Utilities in the Right of Way". The provisions of this Chapter shall not apply to sprinkler system or mailbox installations, seal coating and similar superficial improvements to driveways, or for a project where a building permit or a grading permit is active. (Amended by Ordinance A-946-01-03)

ARTICLE IV Snow Removal

Sec. 12.25

EMERGENCY DURING HEAVY SNOW STORM

Emergency Declared. An emergency is hereby declared to exist within the Village whenever snow falls or accumulates to a depth of two (2) inches or more during any period of twenty-four (24) hours or less. Such emergency shall continue to exist for a period of forty-eight (48) hours or until such earlier time as snow plowing and removal operations have been declared as completed by the Village Engineer.

Parking Prohibited. During such an emergency it shall be unlawful for any person to park, or cause to be parked, any vehicle of any kind or description on any street, provided that vehicles may be stopped not longer than fifteen (15) minutes for loading or unloading of passengers or thirty (30) minutes for loading or unloading of materials at all places where such parking is otherwise permitted.

Vehicle Removal. Whenever any police officer or employee of the Village shall find a vehicle standing upon a street in violation of this article he may require the owner or operator to move, or cause the same to be moved, to a location not in violation of this article. In the event of the failure on the part of said owner or operator to move said vehicle or in the event such owner or operator cannot be located, such officer or employee shall cause said vehicle to be removed and impounded and held until such time as the costs for removal and impounding shall be paid by the owner or operator.

Sec. 12.26

SIDEWALKS

Reserved.

Sec. 12.27

OBSTRUCTION RESTRICTION

It shall be unlawful to store, deposit or cause to be deposited, and/or process any snow or ice either temporarily or permanently thereon which may cause harm to the pavement or injury to any person or animals, or otherwise create a public nuisance on any street, sidewalk or other municipal property.

ARTICLE V TREES AND SHRUBS

Sec. 12.28

PLANTING AND REMOVAL

Planting and removal of trees and shrubs within the Village right of way and on public property shall be as regulated by Chapter 57 of the Burr Ridge Village Code titled "Trees".

ARTICLE VI PUBLIC LANDS

Sec. 12.29

HOURS OF OPERATION

Public land and property (other than streets, parkways, alleys and sidewalks) owned by the Village shall be open for use between the hours of five o'clock (5:00) A.M. and nine o'clock (9:00) P.M. only; provided, however, that for programs or events sponsored or approved by the Village, or for which a Village permit has been issued, said hours of operation may be extended during any such program or event and for a period of sixty (60) minutes following the conclusion of such program or event.

Sec. 12.30

GOLF AND ARCHERY PROHIBITED

No person shall play or practice golf or archery on any Village owned property.

Sec. 12.31

FIRES PROHIBITED

Except in a structure or stove designed for cooking or warming purposes and then only when permitted by the Village, no person shall light or build a fire on any Village owned property.